

James H. Cossitt (Mont. # 4773)
JAMES H. COSSITT, PC
40 2nd St E Ste 202
Kalispell, MT 59901-6112
Tel: 406-752-5616
Email: jhc@cosittlaw.com
LOCAL COUNSEL FOR AD HOC COMMITTEE

**UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF MONTANA**

In re:	Case No. 08-61570-11-RBK
YELLOWSTONE MOUNTAIN CLUB, LLC, et al.,	Jointly Administered with 08-61571, 08- 61572, and 08-61573
Debtors.	Chapter 11

**MOTION TO EXCUSE ATTENDANCE OF
LOCAL COUNSEL FOR THE AD HOC COMMITTEE
OF UNSECURED CREDITORS AT
HEARING SCHEDULED FOR FEBRUARY 11, 2010**

COMES NOW James H. Cossitt and pursuant to LBR 2090-1(e), moves for relief from the requirement of attendance of local counsel at the hearing(s) scheduled for February 11, 2010, and states:

1. Montana LBR 2090-1(e) requires attendance of local counsel at all hearings, unless excused by the Court for good cause.
2. Local counsel has had long-standing plans to be out of the country on the date of the scheduled hearing. These long-standing plans constitute good cause for relief from the attendance requirement of LBR 2090-1(e).

3. Regular counsel for the Ad Hoc Committee of Unsecured Creditors, J. Thomas Beckett of Parsons Behle & Latimer, admitted here *pro hac vice*, will be attending the hearing. Mr. Beckett is familiar with the procedures of this Court by virtue of his involvement in this case and his attendance at various previous hearings on matters before the Court.

4. This request to be excused relates only to the February 11, 2010 hearing. Local counsel intends to fulfill his obligations under LBR 2090-1(e) with respect to all future hearings and proceedings.

BRIEF IN SUPPORT OF MOTION

LBR 2090-1(e) provides the Court may waive the local counsel requirement on a case by case basis. In addition, LBR 9013-1(f)(2) provides that this type of relief will be routinely granted by the Court, without notice or hearing, with the right of any affected party to request a hearing within 10 days from the date of this Court's order.

For the reasons stated above, local counsel respectfully requests that he be excused from attendance at the hearing scheduled for February 11, 2010, and that J. Thomas Beckett be permitted to attend and participate fully in the hearing without local counsel.

Dated: February 5, 2010

/s/ James H. Cossitt

James H. Cossitt (Mont. # 4773)
ATTORNEY FOR OFFICIAL COMMITTEE

Original filed via ECF

Pursuant to FRBP 7005 & 9014 (b) and FRCP 5(b)(2)(D) all parties noted in the Court's ECF transmission facilities have been served via ECF.

The following have been served by mail: None

CERTIFICATE OF SERVICE BY MAIL / ECF

This document was served pursuant to FRBP 7004, 9001(8), 9013, 9014(b): 1) by mail, in envelopes addressed to each of the parties at the addresses above; and/or 2) by electronic means, pursuant to LBR 7005-1, 9013-1(c) and 9036-1 on the parties noted in the Court's ECF transmission facilities, on February 5, 2010. The undersigned declares, under penalty of perjury pursuant to 28 USC § 1746, that the foregoing is true and correct.

/s/ Cynthia C. Granmo